

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO
ADOPTING THE 443rd AMENDMENT TO THE MASTER FEE SCHEDULE
RESOLUTION NO. 80-420 TO ESTABLISH A CITYWIDE STREET
IMPACT FEES FOR LOCALLY REGIONALLY SIGNIFICANT STREETS
AND AN IMPACT FEE FOR NEW GROWTH AREA FOR MAJOR
STREETS UNDER THE PLANNING & DEVELOPMENT SECTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRESNO:

THAT the Master Fee Schedule Resolution No. 80-420 be and is hereby amended to establish a citywide impact fee for major streets that are locally regionally significant and an impact fees for new growth area for major local streets. The proposed adjustments will allow for the financing mechanism to construct the major street circulation system identified in the City's 2025 General Plan and Master Environmental Impact Report. The revised pages of the Master Fee Schedule are attached and made a part of this Resolution.

THAT fees shall become effective upon after final passage or on July 1, 2007 unless otherwise noted on the revised pages of the Master Fee Schedule.

CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)ss.
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting thereof, held on the _____ day of _____, 2007.

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2007
Mayor Approval/No Return: _____, 2007
Mayor Veto: _____, 2007
Council Override Veto: _____, 2007

REBECCA E. KLISCH
City Clerk

APPROVED AS TO FORM
CITY ATTORNEY'S OFFICE

BY: _____

Deputy City Attorney

CITY OF FRESNO MASTER FEE SCHEDULE

PLANNING & DEVELOPMENT FEES

UGM MAJOR STREET CHARGE AND FEE CREDITS (FMC 12-226.1)

Per Gross Acre
(excludes area of major streets)

Major Street Charges -- After October 22, 1982	443
Applicable to all Building Permits issued prior to July 1, 2007	
Applicable to each lot created by subdivision or developed after October 22, 1982 a vesting subdivision map accepted for filing prior to January 23, 2007, and whose vesting rights have not expired.	
Zone A	-0-
Zone B	-0-
Zone C/D-2	2,798.00
Zone D-1/E-2	3,161.00
Zone E-1	2,436.00
Zone E-3	4,053.00
Zone E-4	3,531.00
Zone E-5	-0-
Zone F	3,625.00
All other zones, charges, and fees are established by the Public Works Director	

UGM MAJOR STREET BRIDGE CHARGE (FMC 11-226.1)

Per Gross Acre
(excludes area of major streets)

Major Street Charges -- After October 22, 1982	443
Applicable to all Building Permits issued prior to July 1, 2007	
Applicable to each lot created by subdivision or developed after October 22, 1982 a vesting subdivision map accepted for filing prior to January 23, 2007, and whose vesting rights have not expired.	
Zone A	-0-
Zone B	-0-
Zone C/D-2	94.00
Zone D-1/E-2	304.00
Zone E-1	254.00
Zone E-3	232.00
Zone E-4	196.00
Zone E-5	-0-
Zone F	72.00
All other zones, charges, and fees are established by the Public Works Director	

CITY OF FRESNO MASTER FEE SCHEDULE

PLANNING & DEVELOPMENT FEES

CITYWIDE LOCALLY REGIONALLY SIGNIFICANT STREET CHARGE (FMC 11-226.2)

		Per Gross Acre (excludes area of major streets)	
		<u>Current</u>	<u>Proposed</u>
Citywide Locally Regionally Significant Street Impact Fee			443
The Citywide Regional Street Impact Fee shall be applicable to all building permits issued after July 1, 2007, except for those lots that are protected under vesting map rights which have not expired. This fee would also be applicable to any lots created by subdivision whose map was accepted for filing after January 23, 2007. Fee shall be calculated on a net acreage basis - gross area less major street dedications.			effective 07/01/07
Residential (Low-Medium)	New		8,361
Residential (Medium/High-High)	New		12,030
Commercial Retail	New		12,030
Commercial Office	New		12,030
Light Industrial	New		3,633
Heavy Industrial	New		2,541

NEW GROWTH AREA MAJOR STREET CHARGE (FMC 11-226.2)

		Per Gross Acre (excludes area of major streets)	
		<u>Current</u>	<u>Proposed</u>
New Growth Area Major Street Impact Fee			443
The New Growth Area Major Street Impact Fee shall be applicable to all building permits issued after July 1, 2007, except for those lots that are protected under vesting map rights which have not expired. This fee would be applicable to any lots created by subdivision whose map was accepted for filing after January 23, 2007. Fee shall be calculated on a net acreage basis - gross area less major street dedications.			effective 07/01/07
Residential (Low-Medium)	New		27,151*
Residential (Medium/High-High)	New		36,900*
Commercial Retail	New		36,900*
Commercial Office	New		36,900*
Light Industrial	New		11,837*
Heavy Industrial	New		8,280*

* Includes Citywide locally regionally significant street charge.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO ADOPT FINDINGS TO SUPPORT FINDING OF CONFORMITY; ADOPT NEXUS STUDY; ADOPT FINDINGS PURSUANT TO GOVERNMENT CODE TO ADOPT CITYWIDE REGIONAL STREET IMPACT FEE AND NEW GROWTH AREA MAJOR STREET IMPACT FEE.

WHEREAS, the City desires to create a citywide development impact fee for streets that are locally regionally significant and to create a new growth area major street impact fee; and

WHEREAS, on or about April 24, 2007, Council held a hearing to consider the adoption of new impact fees for major streets in the City; and

WHEREAS, at that hearing Council considered the Draft Final Report – Fresno Major Street Impact Fee Program Nexus Study, March 15, 2007, prepared by Economic and Planning Systems (“Fee Study”), the facility standards, cost of facilities, all other supporting documents, the 2025 General Plan, MEIR No. 10130, Environmental Assessment No. EA PW 06-06-27, the Reports to City Council prepared by City Staff dated March 27, 2007 and April 24, 2007, staff presentations (including City traffic and fee consultants), and all correspondence received and all written and oral evidence received prior to and during the public hearings held on March 27, 2007, and April 24, 2007, and all other information, documents, and evidence related to street facility needs and fees submitted to Council prior to and during the hearing, whether in the April 24, 2007 hearing or prior hearings (“the Record”).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. Council based upon its independent judgment finds that the adoption of the new Citywide Regional Street Impact Fee and the New Growth Area Major Street Fee will not result in any additional significant effects not previously identified in MEIR No. 10130. No new additional mitigation measures or alternatives will be required and the adoption of the new fees is within the scope of the MEIR No. 10130. Council incorporates all feasible mitigation measures identified in the

Mitigation Monitoring Report for the MEIR No. 10130 and adopts a Finding of Conformity pursuant to the EA No. EA PW 06-06-27.

2. Council accepts and adopts the Draft Final Report – Fresno Major Street Impact Fee Program Nexus Study, dated March 15, 2007, prepared by Economic & Planning Systems for the City of Fresno.
3. Council based upon its review and consideration of the Record makes the following findings pursuant to the Mitigation Fee Act (Cal. Gov't Code §§ 66000, et seq.) to support the adoption of the 443rd Amendment to the Master Fee Schedule Resolution 80-420:

A. PURPOSE OF FEES: The purpose of the Fresno Major Street Impact Fee (FSMI) program is to provide funding mechanisms to help the City maintain adequate levels of service on its major street system by funding the construction of new streets and widening or improving existing expressways, super-arterials, arterials, and collector roads and other major road facilities (including bridges and railroad crossings) as identified in the City's 2025 General Plan and the associated Master Environmental Impact Report (MEIR) No. 10130.

B. USE OF FEES: The FSMI Fee Program revenues from new development will be used to fund two major street components included in the Major Street Capital Improvement Program:

Regional Streets - larger street improvements designed to serve new development on a citywide basis including expressways, super-arterials, six lane arterials, four-lane arterials, and other related road facilities (including bridges and railroad crossings); and,

New Growth Streets - street improvements required primarily for serving new development in the new growth Area including arterials, collectors, and other related road facilities (including bridges and railroad crossings).

C. RELATIONSHIP BETWEEN USE OF FEES AND TYPE OF DEVELOPMENT PROJECT: New development in the City will have both a direct and cumulative impact through increased roadway trips on all City major streets. Completion of the necessary major street improvements will ensure that the greater traffic volume on the City's roads caused by new development will not result in decreased service levels or worsen public safety hazards.

D. RELATIONSHIP BETWEEN NEED FOR FACILITY AND TYPE OF DEVELOPMENT PROJECT: New residential and non-residential development project in the City will add to the incremental need for roadway capacity, and each new project will benefit from the new roadway capacity. For new development to occur during the planning horizon of the City's current 2025 General Plan, major street improvements identified by the City's Public Works Department will be necessary to maintain at least the current level of service by

maintaining acceptable traffic flows and as called for in the 2025 General Plan and associated MEIR. Additionally, new development in the growth area as identified in the Fee Study on page 20 will cause a need for major street facilities required primarily for serving new development in the growth area, including arterials, collectors and other related road facilities. Development in all areas of the City causes a need for major street facilities that consist of larger street improvements designed to serve new development on a citywide basis including expressways, super-arterials, six lane arterials, four-lane arterials, and other related road facilities (including bridges and railroad crossings).

E. RELATIONSHIP BETWEEN AMOUNT OF FEES AND COST OF OR PORTIONS OF FACILITY ATTRIBUTED TO DEVELOPMENT ON WHICH FEE IS IMPOSED: The City's 2025 General Plan and associated MEIR identified transportation improvements necessary to serve new development. City staff developed the Major Street CIP and estimated cost of the improvements necessary to implement the mitigation measures in the MEIR for build out under the 2025 General Plan and to otherwise meet the goals, objectives, and policies of the 2025 General Plan.

Construction of the Major Street CIP will serve new development in the City build out under the 2025 General Plan. Major street improvement costs to be funded by new development in the City are allocated to each land use using a cost allocation method that measures the associated impact to the City's major street system for each land use. The costs were allocated using vehicle miles traveled (VMT), which best reflects each land use's relative impact on the system by accounting for the number of average daily trips, as well as length, purpose, and occupancy, to arrive at the total impact by each land use. The result is a fee for each acre of new developments that reflects the relative impact on the major street system.

4. Council adopts the following fees to pay for major street facilities in the City of Fresno:

CITYWIDE LOCALLY REGIONALLY SIGNIFICANT STREET IMPACT FEE

Land Use Type	City Wide Street Impact Fee Per Acre (Effective July 1, 2007)	City Wide Street Impact Fee Per Acre (Effective July 1, 2008)	City Wide Street Impact Fee Per Acre (Effective July 1, 2009)
Residential (Low-Medium)	\$8,361	\$8,361	\$8,361
Residential (Medium/High-High)	\$12,030	\$13,846	\$15,663
Commercial Retail	\$12,030	\$16,131	\$20,233
Commercial Office	\$12,030	\$13,726	\$15,422
Light Industrial	\$3,633	\$3,633	\$3,633
Heavy Industrial	\$2,541	\$2,541	\$2,541

NEW GROWTH AREA MAJOR STREET IMPACT FEE

Land Use Type	New Growth Area Major Street Impact Fee Per Acre (Effective July 1, 2007)	New Growth Area Major Street Impact Fee Per Acre (Effective July 1, 2008)	New Growth Area Major Street Impact Fee Per Acre (Effective July 1, 2009)
Residential (Low-Medium)	\$27,151	\$27,151	\$27,151
Residential (Medium/High-High)	\$36,900	\$44,621	\$52,342
Commercial Retail	\$36,900	\$53,626	\$70,353
Commercial Office	\$36,900	\$43,574	\$50,249
Light Industrial	\$11,837	\$11,837	\$11,837
Heavy Industrial	\$8,280	\$8,280	\$8,280

\\

\\

\\

5. Council direct staff to return to Council within sixty days with a policy and ordinance to implement the adopted Citywide Regional Street Impact Fee and the New Growth Area Major Street Impact Fee.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2007.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2007

Mayor Approval/No Return: _____, 2007


Mayor Veto: _____, 2007

Council Override Vote: _____, 2007

REBECCA E. KLISCH
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: 
Kathryn Phelan, Deputy City Attorney

KCP:sz[40838sz/RESO]4/19/07